

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

THE CITY OF ALEXANDRIA,
LOUISIANA and THE CITY OF
PINEVILLE, LOUISIANA,

Plaintiffs

VERSUS

THE FEDERAL EMERGENCY
MANAGEMENT AGENCY, THE UNITED
STATES DEPARTMENT OF
HOMELAND SECURITY, W. CRAIG
FUGATE in his Official Capacity as
Administrator of The Federal Emergency
Management Agency, THE UNITED
STATES ARMY CORPS OF ENGINEERS,
and LIEUTENANT GENERAL
ROBERT L. VAN ANTWERP in his
Official Capacity as Chief of Engineers
and Commanding General of the
United States Army Corps of Engineers,

Defendants

CIVIL ACTION NO.: _____

JUDGE _____

MAGISTRATE _____

TEMPORARY RESTRAINING ORDER

This matter having come before the Court on the Plaintiffs' verified Complaint requesting, among items of relief, a temporary restraining order under FRCP 65 pending determination by the Court on a request for a preliminary injunction. After considering the specific factual allegations, the supporting evidence, and settled legal

authority, the Court makes the following findings:

- (1) The facts clearly demonstrate that in the absence of interim injunctive relief, immediate and irreparable injury will occur to the movants in the form of continuing constitutional deprivations;
- (2) That issuance of this Order without notice and opportunity to be heard is necessary given the nature of the irreparable injury and the risk of additional, and perhaps greater, irreparable injury resulting if Defendants' actions are permitted to continue.
- (3) That the threatened injury outweighs any damage that the injunction might cause defendants, and
- (4) That the issuance of this temporary injunction will serve the public interest.

ACCORDINGLY, IT IS ORDERED that the Federal Emergency Management Agency (FEMA) be and is hereby enjoined from issuing or otherwise publishing "FIRM" or "DFIRM" panels reflecting the levees along the Red River in central Louisiana as de-accredited, or the consequences thereof, in connection with the FEMA Map Modernization Program and the de-accreditation notices of December 30, 2009;

IT IS FURTHER ORDERED that Plaintiffs are not required to post bond;

IT IS FURTHER ORDERED that this Order will expire in _____ days, unless extended by consent of the parties or by the Court for good cause; and

IT IS FURTHER ORDERED that Plaintiffs' request for a preliminary injunction will be heard on the _____ day of _____, 2011.

So ORDERED on this _____ day of December, 2010, at ____:_____.m.

JUDGE, UNITED STATES DISTRICT COURT,
WESTERN DISTRICT OF LOUISIANA,
ALEXANDRIA DIVISION